

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

A.F.,	:	CASE NO.: 2:23-cv-01241
	:	
Plaintiff,	:	JUDGE SARGUS
	:	
vs.	:	MAGISTRATE JUDGE
	:	
ASSOCIATION OF AMERICAN	:	
MEDICAL COLLEGES	:	
	:	
Defendants.	:	

**JOINT MOTION TO CONTINUE THE TEMPORARY RESTRAINING ORDER**  
**HEARING SCHEDULED FOR APRIL 25, 2023**

Now comes the Parties, by and through their respective counsel, and respectfully request that this Court continue the Case Management Conference scheduled for July 11, 2023, to early August 2023. The grounds in support of this Motion are set forth in the Memorandum in Support, attached hereto and incorporated herein.

Respectfully submitted,

/s/ David A. Goldstein

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### **MEMORANDUM IN SUPPORT**

On April 3, 2023, Plaintiff filed the instant matter in Franklin County Common Pleas Court, alleging that Defendant violated Title III of the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., and seeking a Declaratory Judgment and Injunctive Relief (the “Complaint”). (Complaint, ECF No.3). The claim arose from Defendant’s denial of Plaintiff’s request for additional time on the MCAT standardized test. On April 7, 2023, Defendant removed the matter to this Court. (Notice of Removal, ECF No.1). On June 20, 2023, the Court denied Plaintiff’s motion for a temporary restraining order or, in the alternative, for a preliminary injunction. (Opinion and Order, ECF No. 28).

Plaintiff took the MCAT in late June of 2023, and she is expected to receive her results at the end of July. Depending on the test results, Plaintiff might elect not to continue to prosecute

the matter. Therefore, the Parties respectfully request the Court to continue the case Management Conference to mid-August as by that date, Plaintiff will know whether she intends to proceed forward with the case or dismiss the case.

Respectfully submitted,

/s/ David A. Goldstein

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